

REGULAR MEETING OF THE GREENBELT CITY COUNCIL held Monday, December 8, 2014.

Mayor Jordan called the meeting to order at 8:02 p.m.

ROLL CALL was answered by Councilmembers Judith F. Davis, Konrad E. Herling, Leta M. Mach, Silke I. Pope, Rodney M. Roberts and Mayor Emmett V. Jordan. Councilmember Edward V. J. Putens was unable to attend due to illness.

ALSO PRESENT were Michael McLaughlin, City Manager; David Moran, Assistant City Manager; John Shay, City Solicitor; and Cindy Murray, City Clerk.

Mayor Jordan asked for a moment of silence in memory of residents Leah Warner and Joe Nichols and former residents John McBride and Marjorie Levine. He then led the pledge of allegiance to the flag.

APPROVAL OF CONSENT AGENDA: It was moved by Ms. Davis and seconded by Ms. Mach that the consent agenda be approved. The motion passed 6-0.

Council thereby took the following actions:

Park and Recreation Advisory Board, Report #2014-4 (Greenbelt Lions Club Recognition Group Status): Council accepted this report and will consider it on the agenda of a future meeting.

Appointments to Advisory Committee: Council appointed Joseph Hamlin and Kathleen Shaw to the Greenbelt Advisory Committee on Environmental Sustainability (Green ACES).

APPROVAL OF AGENDA: Ms. Davis requested "Donation from Eleanor & Franklin Roosevelt Democratic Club" be added to the agenda under Presentations. Mr. Herling requested "Contribution of \$5,000 for a Promotional Video Regarding the Federal Bureau of Investigation Relocation to Greenbelt" be added to the agenda as Item #18. With these changes, it was moved by Ms. Davis and seconded by Mr. Herling that the agenda be approved. The motion passed 6-0.

PRESENTATIONS:

Let's Move Cities, Towns and Counties Award: Mayor Jordan announced that the City had received a Let's Move Cities, Towns and Counties Award for having achieved a gold medal in all five areas of the Let's Move Cities, Towns and Counties (LMCTC) initiative. Council presented the award to Julie McHale, Director of Recreation.

Smart Energy Communities Award: Mayor Jordan announced that the City had received a Maryland Energy Administration Award for its participation in the Maryland Smart Energy Communities Program. Council presented the award to Luisa Robles, the City's Sustainability Coordinator.

Eleanor & Franklin Roosevelt Democratic Club: Nicole Williams, member of Eleanor & Franklin Roosevelt Democratic Club Executive Board, presented a check for \$500 to the City

for the Community Emergency Relief Fund. She said the funds had been collected by Club members over the past year. Council thanked Ms. Williams and all the members of the Eleanor & Franklin Roosevelt Democratic Club for the donation.

PETITIONS AND REQUESTS: Chris Shuman, 1-E Gardenway, commented on two instances when Public Works employees did not have proper tools to perform their jobs. He requested Public Works review the tools provided to its employees. He also noted the continuing problem with roadside snipe signs and requested prompt removal of the signs continue.

MINUTES OF COUNCIL MEETINGS: None

ADMINISTRATIVE REPORTS: Mr. McLaughlin provided an update on the Theater renovation project. He said the project is about two months behind schedule due to some required redesign work (from items found once project was underway) and the installation of the 35 millimeter projection equipment.

COMMITTEE REPORTS: None

## LEGISLATION

A Resolution to Authorize the Negotiated Purchase of Installation of Kalwall Roof System over the Indoor Pool Area at the Greenbelt Aquatic and Fitness Center from Structures Unlimited, Inc. at a Cost not to Exceed \$570,000

Mayor Jordan read the agenda comments.

Ms. Mach introduced the resolution for second reading and moved that it be adopted. Ms. Davis seconded.

Mr. Roberts said he supported the roof replacement project as proposed but was opposed to funding the project with Program Open Space (POS) funds. He stated that POS funds should be used for the preservation of land.

Mr. Roberts asked when the last time was that the City used POS funds for the preservation of land. Ms. Davis and Ms. Hruby said the last land acquisition was the Sunrise Property in 2004. They noted the City does not have any land acquisitions where POS funds can be used. Ms. Davis provided a summary of the use of POS funds over the past several years, noting POS funds had been used for recreation facilities improvements (Schrom Hills Park, playgrounds, tennis courts, etc.) which benefit all residents.

Ms. Mach said she supported the project along with funding with POS funds. She noted that the project enhances recreational opportunities for residents. Ms. Pope agreed.

After further discussion, Ms. Davis Called the Question. Ms. Mach seconded. The motion passed 6-0.

ROLL CALL: Ms. Davis - yes  
Mr. Herling - yes

Ms. Mach	-	yes
Ms. Pope	-	yes
Mr. Putens	-	absent
Mr. Roberts	-	no
Mayor Jordan	-	yes

The resolution was declared adopted (Resolution No. 2028, Book 8).

Memorandum of Understanding – Electric Vehicle Charging Station in City Right-of-Way:

Mayor Jordan read the agenda comments.

Mayor Jordan asked how other municipalities have handled requests for Electric Vehicle Service Equipment (EVSE) charging stations. Ms. Hruby said a number of municipalities have installed stations within their public parking areas. She said the City is unique as far as the residential units in Greenbelt Homes, Inc.

In response to a question from Ms. Davis, Ms. Hruby said the costs to Ken and Elizabeth Chandler (the residents) was slightly over \$5,000 for the charging station. Ms. Davis asked if there would be bollards installed to act as a barrier for the unit. Ms. Hruby said staff would review the installation of the unit to determine if additional safeguards are necessary.

Ms. Mach asked what would happen to the EVSE charging station if the residents sold their unit. Ms. Hruby said that since the residents actually own the equipment, it is possible they would remove the equipment and take it with them if they sold their unit. Mr. Shay added this situation is well covered in the proposed MOU which states that GHI accepts full responsibility in the event of default.

Chris Shuman, 1-E Gardenway, said he was concerned about vandalism to the EVSE charging station and that overall City liability for the station hadn't been adequately covered in the proposed MOU. Mr. Shay agreed, noting there was no indemnification or hold harmless clause (for the City) in the proposed MOU. Ms. Pope asked that the MOU be modified to include an indemnification or hold harmless clause.

Mayor Jordan asked if Council's approval of the MOU was time sensitive. Ms. Hruby said the residents are anxious to obtain approval and move forward with the project but expected that this substantive change will require the MOU returning to the GHI Board for approval.

Nicole Williams, 7722 Hanover Parkway, mentioned the General Assembly had passed legislation last year to allow for tax credits for EVSE's. Ms. Davis mentioned she was supportive of the installation of a charging station in the municipal parking lot for public usage.

Mr. Roberts moved that Council approve the proposed Memorandum of Understanding (MOU), with the addition of an indemnification or hold harmless clause (for the City), that conditionally grants Ken and Elizabeth Chandler permission to install an Electric Vehicle Service Equipment (EVSE) charging station in City right-of-way adjacent to the curb at their assigned parking space at 62 Ridge Road. Ms. Pope seconded. The motion passed 6-0.

Award of Contract – Community Center HVAC System: Mayor Jordan read the agenda comments.

Ms. Pope moved that Council approve the City contracting with Mendoza, Ribas, Farinas and Associates to provide mechanical and engineering work for the Community Center HVAC system as stated in their proposal dated October 27, 2014 at a cost of \$56,750. Ms. Davis seconded.

In response to question from Mr. Roberts, Mr. McLaughlin said the project is being funded with 75% Program Open Space (POS) funds and 25% City funds. He added that City funds (as part of their 25% total project funds) would be expended for this mechanical and engineering contract work.

Mr. Roberts questioned the reduced amount of air flow through the ducts which had been mentioned at the work session on December 3, 2014. He suggested the actual air flow be tested. Mr. McNeal said he would discuss the request with the contractor.

Ms. Davis, Ms. Mach and Ms. Pope said they were pleased this project is moving forward. In response to a question from Ms. Mach, Mr. McNeal said he would work with Jim Sterling, Acting Director of Public Works, to determine whether there were any rebates available for this project.

Mr. Orleans, Greenbelt, suggested passive energy usage program be considered for this project. Mr. McNeal said the architect had advised that this project was not large enough to be a candidate for this program.

Chris Shuman, 1-E Gardenway, mentioned that special ventilation is required in the kiln rooms. Ms. Davis said this had already been addressed in the project plans.

The motion passed 6-0.

Old Greenbelt Middle School Classrooms: Mayor Jordan read the agenda comments.

Ms. Davis and Ms. Mach commented on the estimated \$188,850 cost for renovation to make the five classrooms in old Greenbelt Middle School (GMS) usable and the \$10 per square foot cost to Prince George's County Public Schools (PGCPS) to rent the space which is higher than had been indicated previously. Ms. Davis suggested the City attempt to negotiate a lower rent but as proposed, it can't be considered. Mayor Jordan and Ms. Pope agreed. Mayor Jordan suggested the City inform School Board Member Lupi Grady of the situation.

Ms. Mach asked why usage of the space in the old GMS was not feasible for the Planning and Community Development Department (PCD). Mr. McLaughlin explained that PCD could use the space but the space they would vacate at the Community Center was not particularly usable due to the PCD space being carved into small rooms divided by masonry walls many years ago by the school system. Ms. Mach mentioned Greenbelt Access Television's (GATE) need for space and suggested they may be able to take advantage of the layout of the PCD space. She

expressed disappointment with the situation proposed, noting the need for CARES services in Greenbelt West but agreed that affordability is a concern.

Mr. Roberts said he would like to have CARES and PCD use space at the old Middle School. He questioned the cost estimate provided by Gardiner & Gardiner and said it would be helpful to have estimates obtained from several companies. Mr. Roberts commented that other companies may submit a lower bid for the renovations.

Mayor Jordan and Ms. Davis commented that the estimate received from Gardiner & Gardiner was just to provide an idea on an estimated renovation cost for the City to consider regarding usage of the building. In response to a question from Mr. Roberts, Mr. McLaughlin said the cost for the estimate from Gardiner & Gardiner was \$3,500.

Mr. Herling agreed that the inequity in City services between old Greenbelt and Greenbelt West was a concern. He added that GATE could expand their services and provide educational opportunities.

Ms. Pope commented on the good work done by the Greenbelt Middle School Task Force. She said she did not support proceeding any further with this project, given the rent had doubled for usage of the rooms and her belief that PGCPs would not respond favorably to the City's request to negotiate the terms. Ms. Pope said that it would be a waste of resources to proceed any further.

Mayor Jordan noted that David Whaples, member of the Greenbelt Middle School Task Force (GMSTF), had indicated the best possible use of the space is for classrooms and usage of the rooms for any other purpose would cost considerable money. Mayor Jordan expressed concern about putting City funds into a facility that doesn't belong to the City.

Ms. Davis also recognized the good work done by the GMSTF. She said the classroom space could be used by the City and/or rented out for community use but not at the current cost proposed.

Mr. Roberts commented on Council's responsibility to expand resources throughout the City. He said that the current budget contains funds to renovate/update the Multipurpose (MP) room at the Community Center to allow for video streaming of Council work sessions on Wednesday evenings. He said if Greenbelt CARES could utilize space in the Community Center on Wednesday evenings, then the Council Room could be utilized for work sessions and renovating the MP Room would not be necessary. He suggested staff obtain additional estimates on renovations to the classrooms at the old GMS and attempt to negotiate the rental fees to a more manageable cost.

Mr. Orleans, Greenbelt, asked and was provided answers to several questions.

Mr. Shuman, 1-E Gardenway, said he strongly supports Ms. Pope's position on this item. He also expressed concern that if City services were offered in a building with school children, the City could be in a vulnerable position with potential liabilities issues.

David Whaples, member of the Greenbelt Middle School Task Force, cautioned that PGCPs is retaining the building for use as a school and it was likely at some point in the future they may want to expand their use of the building. He said if the City invested funds in the building, the funds would be lost if this happened.

Ms. Davis suggested that staff then enter into discussion with the PGCPs staff to discuss/negotiate the building renovation and whether they will fund the cost of renovations since they are retaining the building.

Ms. Davis moved that Council brief School Board Member Lupi Grady at the upcoming legislative dinner and direct staff to meet with PGCPs staff and attempt to negotiate the rental option proposed as well as the cost for renovations. Ms. Mach seconded.

Ms. Mach asked that Council be informed as to the results of the meeting along with members of the Advisory Committee on Education.

The motion passed 5-1. (Pope)

Prince George's Delegation – Hearing on Local Bills: Mayor Jordan read the agenda comments.

Ms. Davis moved that Council support PG 416. Ms. Mach seconded. The motion passed 6-0.

Ms. Davis moved that Council support PG 417-15. Ms. Pope seconded. The motion passed 6-0.

Council Reports: Councilmembers commented on the Festival of Lights activities held over the weekend. They also noted their attendance at the following events.

City Holiday Tree Lighting – Mayor Jordan, Ms. Davis, Mr. Putens, Mr. Roberts, Mr. Herling and Ms. Mach

Air Quality Control Advisory Committee Meeting – Ms. Mach

Prince George's County Municipal Association (PGCMA) Legislative Dinner – Mayor Jordan, Ms. Davis, Mr. Putens, Mr. Herling, Ms. Mach and Ms. Pope

PGCMA Legislative Committee Meeting – Mayor Jordan and Ms. Davis

Installation Ceremony of Prince George's County Executive and Council – Mayor Jordan and Ms. Davis

Sustainable Maryland Certified Executive Committee Meeting – Ms. Davis

Lion's Club Breakfast with Santa – Mayor Jordan, Ms. Davis and Mr. Herling

Cora Rice & Prince George's County Police Holiday Celebration at Eleanor Roosevelt High School– Ms. Davis

Farmers Market – Ms. Davis

Pearl Harbor Commemoration Ceremony at Greenbelt Legion – Mayor Jordan and Ms. Davis

Greenbelt East Tree Lighting – All members

Club 125 2<sup>nd</sup> Anniversary Celebration – Mayor Jordan and Mr. Herling

Mr. Herling said he was advocating for the day when the community was more inclusive of members of minorities and those with special needs. He said he hoped the Community Relations Advisory Board (CRAB) would consider expanding their board to allow for an expansive and broader membership that will be reflective of the City.

Contribution to Production Video Regarding the Relocation of the Federal Bureau of Investigation to Greenbelt: Mr. Herling explained that the Four Cities had agreed to the joint production of a video regarding the relocation of the FBI to Greenbelt. He advised that the Cities of College Park and New Carrollton and the Town of Berwyn Heights are supportive of the proposal and approval of their contributions will be included on upcoming Council agendas.

Mr. Herling moved that Council approve a \$5,000 contribution to be used for the production of a video regarding the relocation of the Federal Bureau of Investigation to Greenbelt. Ms. Pope seconded.

The motion passed 6-0.

Mr. Orleans asked and was provided answers to several questions.

MEETINGS: Council reviewed the upcoming meeting schedule.

Executive Session: Ms. Davis moved that Council schedule an Executive Session on Monday, December 22, 2014, at 8:00 p.m., in the Council Room of the Municipal Building. She said Council will hold this closed meeting in accordance with Section 10-508 (a) (1) of the State Government Article of the *Annotated Code of Public General Laws of Maryland* to discuss a personnel matter. Ms. Pope seconded.

ROLL CALL:	Ms. Davis	-	yes
	Mr. Herling	-	yes
	Ms. Mach	-	yes
	Ms. Pope	-	yes
	Mr. Putens	-	absent
	Mr. Roberts	-	no
	Mayor Jordan	-	yes

ADJOURNMENT: Ms. Mach moved to adjourn the meeting. Ms. Pope seconded. The motion passed 6-0.

Mayor Jordan adjourned the regular meeting of Monday, December 8, 2014, at 10:34 p.m.

Respectfully submitted,

Cindy Murray  
City Clerk

"I hereby certify that the above and foregoing is a true and correct report of the regular meeting of the City Council of Greenbelt, Maryland, held December 8, 2014."

Emmett V. Jordan  
Mayor

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